

6

**IN THE CHANCERY COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS**

**SHELBY COUNTY DEMOCRATIC PARTY,
MAREK FOR MEMPHIS,**

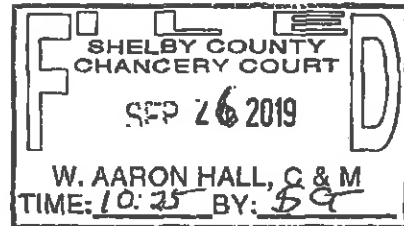
Petitioners,

v.

**Case No. CH-19-1370-3
PART III**

**GREG GRANT, INDIVIDUALLY & d/b/a
GREATER MEMPHIS DEMOCRATIC CLUB, INC.,
M. LATROY WILLIAMS, INDIVIDUALLY & d/b/a
SHELBY COUNTY DEMOCRATIC CLUB,**

Defendants.



**PETITION FOR TEMPORARY RESTRAINING ORDER, FOR
PERMANENT INJUNCTION, DECLARATORY RELIEF**

**TO THE HONORABLE CHANCELLORS OF THE COURT OF SHELBY
COUNTY, TENNESSEE:**

The Petitioners, petitioning for emergency equitable relief as specified hereinbelow,
respectfully state and allege the following as grounds:

PARTIES

1. Petitioner the Shelby County Democratic Party, chartered by the Tennessee Democratic Party, is the lawful representative body of the Tennessee Democratic Party in Shelby County.

2. Petitioner Marek for Memphis is the campaign committee for John Marek's City Council, District 5 bid (hereinafter petitioners). John Marek is running for office in the municipal general election on October 3, 2019.

3. Defendant Greater Memphis Democratic Club, Inc., is a for-profit corporation with its principal address at 3160 High Meadow Dr., Memphis, TN 38128-4209. (See attached Exhibit 1). It may be served with process through its registered agent, Greg Grant, at 3160 High Meadow Dr., Memphis, TN 38128-4209.

4. Defendant Shelby County Democratic Club, Inc. is a for-profit corporation with its address at 3250 Commercial Parkway, Memphis, TN 38116-3252. It may be served with process through its registered agent, M. Latroy Williams, at 3242 Commercial Parkway, Suite 3254, Memphis, TN 38116-3252.

5. Defendant Greg Grant is an individual, adult resident of Shelby County Tennessee. He may be served with process at 3160 High Meadow Dr., Memphis, TN 38128-4209.

6. Defendant M. Latroy Williams is an individual, adult resident of Shelby County, Tennessee. He may be served with process at 3242 Commercial Parkway, Suite 3254, Memphis, TN 38116-3252.

JURISDICTION AND VENUE

7. This Court has jurisdiction, pursuant to Tenn. Code Ann. § 16-11-103, to hear this Petition for equitable relief.

8. Venue for this action is properly laid in Shelby County, where all pertinent events transpired.

FACTUAL ALLEGATIONS

9. Defendant Grant, operating under the cloak of Greater Memphis Democratic Club, has published, disseminated, and caused to prominently appear multiple misrepresentative advertisements which purport to speak for, and represent the actual endorsement of, the Democratic Party. This mass advertising is deceptive, intended to misrepresent to the electorate and general public that certain candidates not endorsed by the Democratic Party—including Worth Morgan, Chase Carlisle, Ford Canale, and Cody Fletcher—are endorsed by Democratic Party.

10. In the aforementioned advertisements, Defendant Grant uses the trademark logo of the Democratic Party (the red white and blue donkey), and the words Democratic (with slight variations). (See attached Exhibits 4 and 5).

11. Furthermore, Defendant Greater Memphis Democratic Club uses the City of Memphis Seal five times on a widely distributed piece of “campaign” literature and eight times in the 2019 No. 190 version of Spirit Magazine.

12. Defendant Williams, operating under the cloak of the Shelby County Democratic Club, has published, disseminated, and caused to prominently appear multiple misrepresentative advertisements which purport to speak for, and represent the actual endorsement of, the Democratic Party. This mass advertising is deceptive, intended to misrepresent to the electorate that a certain candidate not endorsed by the Democratic Party, namely Worth Morgan, is endorsed by the Democratic Party. He also uses the trademark logo of the Democratic Party (the red, white, and blue donkey), and the words Democratic (with slight variations). (See attached Exhibits 4 and 5).

13. Defendant Williams was previously restrained by the Chancery Court of Shelby County in cause # CH-10-1354 from committing similar acts in the election of 2010.

14. Tennessee statutes seek to protect the public from entities masquerading as legitimate political parties. Tenn. Code Ann. § 2-1-104 (a) (14) requires political parties to seek recognition by filing with the State a qualifying petition. The purpose of such statutes is to protect the public from fly-by-night organizations that only seek to get money from public and to confuse the electorate. There is a compelling state interest in protecting the public from any misleading and fraudulent advertising.

15. The Democratic National Committee, the Tennessee Democratic Party, and the Shelby County Democratic Party have possessory and equitable interests in the name, trade dress, and brand of the Democratic Party, and equity demands they have some remedy to prevent their name, trade dress, and brand from misappropriation, dilution, and impressment into the service of for-profit entities.

16. Defendants' actions hereinbefore described tend to mislead the public as to which candidates in fact have the support and endorsement of the Democratic Party.

17. Section 1-8-2 of the Memphis Municipal Code provides, "The official seal provided by section 1-8-1 shall be impressed or imprinted on all official instruments of the city." Section 1-8-3 (E) places the city seal on the city flag. This language implies, under the well known principal of statutory construction, *inclusio unius ex exclusion alterius*, that neither the City Seal, flag, nor any likenesses thereof, may be privately appropriated by for-profit entities and affixed to campaign literature or advertisements.

18. Early voting for the October 3, 2019 elections began on September 13, 2019.

19. On or about October 3, 2019, the ballot attached as Exhibit 5 began to be distributed at the polls to voters by paid agents of Defendants.

BASIS FOR EMERGENCY INJUNCTIVE RELIEF

14. Defendants are in violation of Tennessee the following statutes:

Tenn. Code. Ann. § 2-19-116. Misrepresentations on campaign literature or sample ballots - Penalty.

(a) No person shall print or cause to be printed or assist in the distribution or transportation of any facsimile of an official ballot, any unofficial sample ballot, writing, pamphlet, paper, photograph or other printed material which contains the endorsement of a particular candidate, group of candidates or proposition by an organization, group, candidate or other individual, whether existent or not, with the intent that the person receiving such printed material mistakenly believe that the endorsement of such candidate, candidates or proposition was made by an organization, group, candidate or entity other than the one or ones appearing on the printed material.

(b) A violation of this section is a Class C misdemeanor.

Tenn. Code. Ann. § 2-19-142. Knowingly publishing false campaign literature.

It is a Class C misdemeanor for any person to publish or distribute or cause to be published or distributed any campaign literature in opposition to any candidate in any election if such person knows that any such statement, charge, allegation, or other matter contained therein with respect to such candidate is false.

20. Defendants are deceptively portraying certain candidates as nominees or endorsees of the Democratic Party, even though these candidates are not endorsed by the Democratic Party, and in several cases are in fact members of the Shelby County Republican Party, endorsed by that organization, or both.

21. Defendants Greg Grant and the Greater Memphis Democratic Club are improperly and deceptively placing the Seal of the City of Memphis on their "campaign" materials.

22. Petitioners aver that Defendants are acting in knowing violation of the law and acting deceptively and in bad faith.

23. Petitioners aver that immediate and irreparable harm will result to the Petitioners and the voting public, and will mar and offend the sanctity and security of the election process (for which adequate monetary cannot compensate) if Defendants and their agents are not immediately restrained and enjoined from further acts as hereinbefore described.

24. Petitioners seek an immediate Temporary Restraining Order with the provisions set forth in the prayer below, along with an expedited hearing and a permanent injunction and declaratory relief.

25. Defendants' actions hereinbefore described will cause Plaintiffs irreparable damage unless immediately enjoined by this Court.

26. Absent the immediate injunctive relief herein requested, the unlawful and irreparably damaging conduct of Defendants, hereinbefore described, will continue.

PRAYER

WHEREFORE, Petitioners respectfully pray for the following relief:

A. That the Court issue summons to be served on the Defendants and that they be required to Answer or otherwise respond in the time and manner prescribed by law;

B. That this Court immediately issue a Temporary Restraining Order restraining Defendants from:

a. Distributing literature, disseminating information or in any way communicating utilizing words, symbols, or graphical schemes reasonably implying endorsement of or affiliation with the Democratic National Committee, the Tennessee Democratic Party, or the Shelby County Democratic Party;

b. Distributing literature, e-material, or displaying prominent advertisements bearing the Seal of the City of Memphis, the city flag, or any other official marks of the City of Memphis;

b. Distributing literature, disseminating information or in any way representing or implying any misleading information regarding the political party affiliation of a candidate or group;

c. Distributing literature, disseminating information or in any way representing or implying that individuals who are not duly elected nominees of a political party are such nominees;

d. Distributing literature, disseminating information, or in any way representing or implying an endorsement of a candidate by a person or group when such endorsement has not occurred;

f. Distributing, disseminating or transferring Exhibits 3-5, or any facsimile or partial copy of same;

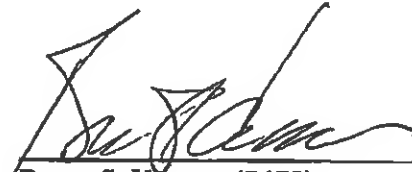
C. That an expedited hearing be set to determine Petitioners' entitlement to a Preliminary Injunction granting the same relief;

D. That Defendants be compelled to take affirmative remedial action to remove from public dissemination, publication, or prominent view, all items identified to be restrained in this petition;

E. That upon a full hearing on this cause, this court enter a Decree declaring the use of the City of Memphis Seal and the likeness of the Democratic Party, and other conduct by Defendants as hereinbefore described, to be unlawful and deceptive; and

F. That this Court grant Petitioners such other and further relief as may be appropriate under the circumstances.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Bruce S. Kramer', is written over a horizontal line.

Bruce S. Kramer (7472)

Jacob Webster Brown (36404)

6000 Poplar Avenue, Suite 150

Memphis, Tennessee 38119

bkramer@appersoncrump.com

jbrown@appersoncrump.com

Attorney for Petitioners

THIS IS THE FIRST REQUEST FOR EXTRAORDINARY RELIEF IN THIS CAUSE

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned authority within and for the State and County aforesaid, John Marek, who makes oath and says that the facts and allegations stated in the foregoing are true and correct to the best of his knowledge, information and belief.

MAREK FOR MEMPHIS

By: John Marek



SWORN TO AND SUBSCRIBED this 26 day of September, 2019.

NOTARY PUBLIC

Deputy Court Clerk

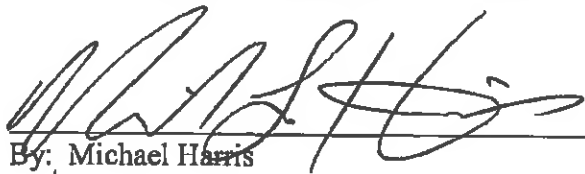


My Commission Expires:

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned authority within and for the State and County aforesaid, Michael Harris, duly elected Chairman of the Shelby County Democratic Party, who makes oath and says that the facts and allegations stated in the foregoing are true and correct to the best of his knowledge, information and belief.

SHELBY COUNTY DEMOCRATIC PARTY


By: Michael Harris

SWORN TO AND SUBSCRIBED this 26 day of September, 2019.

My Commission Expires:


NOTARY PUBLIC

Deputy Court Clerk



CERTIFICATE OF SERVICE


I certify that on September 25th, 2019, copies of the foregoing document were provided to a private process server to be served on the following:

Greg Grant
3160 High Meadow Dr.,
Memphis, TN 38128-4209

Greater Memphis Democratic Club, Inc.
3160 High Meadow Dr.,
Memphis, TN 38128-4209

M. Latroy Williams
1429 S. Parkway E.
Memphis, TN 38106

Shelby County Democratic Club, Inc.
3242 Commercial Parkway, Ste. 3254
Memphis, TN 38116



Bruce Kramer



RE-ELECT • THE HONORABLE MAYOR • JIM STRICKLAND



Strickland

LEADERSHIP MATTERS



Flag of Memphis

RE-ELECT
MAYOR JIM STRICKLAND

RE-ELECT & VOTE FOR THOSE WHO HAVE BEEN IN THE STRUGGLE WITH YOU



CLERK

MYRON LOWERY
City Court Clerk



JUDGE

TERESA JONES
Division 1



JUDGE

TARIK SUGARMON
Division 2



JUDGE

JAYNE CHANDLER
Division 3



RE-ELECT
SHERMAN
GREER
CITY
COUNCILMAN

(1)



RE-ELECT
MARVIN
WHITE
CITY
COUNCILMAN

(2)



RE-ELECT
WORTH
MORGAN
CITY
COUNCILMAN

(5)



RE-ELECT
CATRINA
SMITH
CITY
COUNCILWOMAN

(7)

CITY COUNCIL SUPER DISTRICT 9



CHAS

CHAS
FORD



FORD CANALE

Ford
Canale



CODY

Cody
Fletcher





ENDORSED BY JUDGE JOE BROWN & MARK CLAYTON

**PRESIDENT OBAMA RUNNING MATE
US SENATE DEMOCRAT NOMINEE**



EARLY VOTING: SEPT. 13TH - 28TH / GENERAL ELECTION: OCT. 3RD, 2019

Shelby County Democratic Club

Charter #638459

UNITY BALLOT

SHELBY COUNTY



10TH ANNIVERSARY



W.W. HERENTON
MAYOR

TERESA JONES
JUDGE DIVISION 1

JOE BROWN
CITY COURT CLERK

LYNETTE WILLIAMS DB
CITY COUNCIL SUPER D 6 POS 3

MARINDA ALEXANDRIA WILLIAMS
CITY COUNCIL SUPER D 8 POS 1



EDMUND FORD SR
CITY COUNCIL D 6

PATRICE ROBISON
CITY COUNCIL D 3

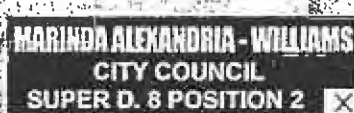
JIMMY BASSANT
CITY COUNCIL D 7

WORTH MORGAN
CITY COUNCIL D 5

RHONDA LOGAN
CITY COUNCIL D 1

ERIKA SUGARMAN
CITY COUNCIL SUPER D 8

JANTA SWEARINGEN
CITY COUNCIL D 4



JUDGE TARIK SUGARMAN
JUDGE DIVISON
CITY COURT - 2

DANIELLE JONES
CITY COUNCIL
SUPER D. 9-2

DANIELLE JONES
CITY COUNCIL
SUPER D. 9-2

MARINDA ALEXANDRIA - WILLIAMS
CITY COUNCIL
SUPER D. 8 POSITION 2

JAYNE CHANDLER
JUDGE DIVISON
CITY COURT - 3

JAYNE CHANDLER
JUDGE DIVISON
CITY COURT - 3

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE FOR THE
THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

Shelby County Democratic Party
Marek Zorn-Memphis
Plaintiff

vs.

Docket No. CH-19-1370-3

Gore g Grant, Indv, 3 DBA
Defendant Greater Memphis Democratic
Club, Inc, et Al

Part III

FIAT

TO THE CLERK OF THIS COURT:

Based upon the record in this matter, issue one or more of the following:

☐ NOTICE OF HEARING

Issue Notice and set this matter for hearing on _____, the _____ day of _____, at _____ o'clock _____ m.

☐ WRIT OF CERTIORARI

Issue a Writ of Certiorari as prayed for in this matter.

☐ WRIT OF SCIRE FACIAS (CONTEMPT)

Issue a Writ of Scire Facias as prayed for in this matter and set this matter for hearing on _____, the _____ day of _____, at _____ o'clock _____ m.

☐ INJUNCTION

Issue the injunction as prayed for in this matter upon bond being given in the amount of \$ _____.

☐ TEMPORARY RESTRAINING ORDER (TRO)

Issue the Temporary Restraining Order as prayed for in this matter upon bond being given in the amount of \$ _____

and issue Notice setting this matter for hearing on _____, the _____ day of _____, at _____ o'clock _____ m. for Defendant to show cause why Plaintiff is not entitled to have the relief prayed for in this matter.

Chancellor

Date

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

SHELBY COUNTY DEMOCRATIC PARTY,
MAREK FOR MEMPHIS

Entered
SEP 26 2019

Petitioners,

M.B. _____

VS.

Docket No. CH-19-1370
Part III


GREG GRANT, INDIVIDUALLY & d/b/a
GREATER MEMPHIS DEMOCRATIC CLUB, INC.,
M. LATROY WILLIAMS, INDIVIDUALLY & d/b/a
SHELBY COUNTY DEMOCRATIC CLUB,

Defendant,

ORDER OF RECUSAL

THIS CAUSE came to be heard *sua sponte* upon the Court's own motion for recusal on the basis that the Court has a conflict of interest. In order to avoid even the appearance of impropriety with regards to the parties in this case, the Court finds it should recuse itself from any further activity in this case.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Chancellor JoeDae L. Jenkins shall and hereby does recuse himself from hearing this case. This case is referred to the Clerk of this Court for reassignment.


CHANCELLOR JOEDAE L. JENKINS

Date: September 26, 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and exact copy of the foregoing has been mailed to the following parties or counsel of record on this the 26th day of September, 2019:



Deputy Clerk & Master

Bruce S. Kramer Esq.
Jacob Webster Brown Esq.
6000 Poplar Avenue, Suite 150
Memphis, Tennessee 38119

Greg Grant
3160 High Meadow Dr.
Memphis, Tennessee 38128-4209

Greater Memphis democratic Club, Inc.
3160 High Meadow Dr.
Memphis, Tennessee 38128-4209

M. Latroy Williams
1429 S. Parkway E.
Memphis Tennessee 38106

Shelby County Democratic Club, Inc.
3242 Parkway, Ste. 3254
Memphis Tennessee 38116

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

SHELBY COUNTY DEMOCRATIC PARTY,
MAREK FOR MEMPHIS,

Petitioners,

v.

Docket No.: CH-19-1370-3
PART III

GREG GRANT, INDIVIDUALLY & d/b/a
GREATER MEMPHIS DEMOCRATIC CLUB, INC.,
M. LATROY WILLIAMS, INDIVIDUALLY & d/b/a
SHELBY COUNTY DEMOCRATIC CLUB,

Defendants.

NOTICE OF HEARING

PLEASE TAKE NOTICE, a hearing will be held at 9:00 A.M., on Thursday, October 3, 2019, in the Supreme Court courtroom located on the third floor of the D'Army Bailey Courthouse (140 Adams Avenue) Memphis, TN 38103, before the Honorable William B. Acree, Senior Judge, upon the Petitioners Request for Temporary Restraining Order.



Bruce S. Kramer (#7472)
APPERSON CRUMP, PLC
6000 Poplar Avenue, Suite 150
Memphis, TN 38119
Telephone: (901) 756-6300
Facsimile: (901) 757-1296
bkramer@appersoncrump.com

CERTIFICATE OF SERVICE

I certify that on this the 1st day of October, 2019, copies of the foregoing document were provided to a private process server to be served on the following:

Greg Grant
3160 High Meadow Dr.,
Memphis, TN 38128-4209

Greater Memphis Democratic Club, Inc.
3160 High Meadow Dr.,
Memphis, TN 38128-4209

M. Latroy Williams
1429 S. Parkway E.
Memphis, TN 38106

Shelby County Democratic Club, Inc.
3242 Commercial Parkway, Ste. 3254
Memphis, TN 38116

Furthermore, a text was sent to Linda Harris, 901-335-8222, counsel for Greg Grant at 3:49 pm

A handwritten signature in black ink, appearing to read "Bruce Kramer", written over a horizontal line.

Bruce Kramer

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

SHELBY COUNTY DEMOCRATIC PARTY,
MAREK FOR MEMPHIS,

Petitioners,

v.

Docket No.: CH-19-1370-3
PART III

GREG GRANT, INDIVIDUALLY & d/b/a
GREATER MEMPHIS DEMOCRATIC CLUB, INC.,
M. LATROY WILLIAMS, INDIVIDUALLY & d/b/a
SHELBY COUNTY DEMOCRATIC CLUB,

Defendants.

AMENDED NOTICE OF HEARING

PLEASE TAKE NOTICE, a hearing will be held at 10:30 A.M., on Thursday, October 3, 2019, in the Supreme Court courtroom located on the third floor of the D'Army Bailey Courthouse (140 Adams Avenue) Memphis, TN 38103, before the Honorable William B. Acree, Senior Judge, upon the Petitioners Request for Temporary Restraining Order.



Bruce S. Kramer (#7472)
APPERSON CRUMP, PLC
6000 Poplar Avenue, Suite 150
Memphis, TN 38119
Telephone: (901) 756-6300
Facsimile: (901) 757-1296
bkramer@appersoncrump.com

CERTIFICATE OF SERVICE

I certify that on this the 1st day of October, 2019, copies of the foregoing document were provided to a private process server to be served on the following:

Greg Grant
3160 High Meadow Dr.,
Memphis, TN 38128-4209

Greater Memphis Democratic Club, Inc.
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Memphis, TN 38128-4209

M. Latroy Williams
1429 S. Parkway E.
Memphis, TN 38106

Shelby County Democratic Club, Inc.
3242 Commercial Parkway, Ste. 3254
Memphis, TN 38116

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A handwritten signature in black ink, appearing to read "Bruce Kramer", written over a horizontal line.

Bruce Kramer

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

ELECTRONICALLY FILED
2019 Oct 02 8:47 PM
CLERK OF COURT

SHELBY COUNTY DEMOCRATIC PARTY,
MAREK FOR MEMPHIS

Plaintiff,

v.

DOCKET # CH-19-1370

PART III

GREG GRANT, et al.

Defendant

AFFIDAVIT OF PDQ COURIERS

STATE OF TENNESSEE
COUNTY OF SHELBY

I, Steve Moore, Agent and Owner of PDQ Couriers, First being duly sworn state the following:

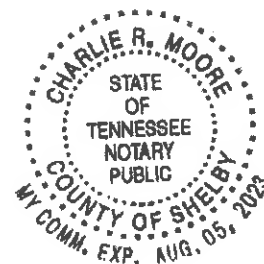
- 1) I am over the age of eighteen (18) & I am not a party in this lawsuit.
- 2) PDQ Couriers received a Letter and Amended Notice of Hearing on October 1, 2019 to serve on each of the following:
Greg Grant 3160 High Meadow Dr. Memphis, TN 38128
Greater Memphis Democratic Club, Inc. 3160 High Meadow Dr. Memphis, TN 38128
Shelby County Democratic Club, Inc. 3242 Commercial Pkwy Suite 3254 Memphis, TN 38116
M. Latroy Williams 1429 S Parkway East Memphis, TN 38106
- 4) PDQ Couriers attempted to serve Shelby County Democratic Club, Inc. at 3242 Commercial Pkwy Suite 3254 Memphis, TN 38116 on October 2, 2019. The building is vacant.
- 5) PDQ Couriers attempted to serve M. Latroy Williams at 1429 S Parkway East Memphis, TN 38106 on October 2, 2019. The house is vacant and boarded.
- 6) PDQ Couriers attempted to serve Greg Grant and Greater Memphis Democratic Club, Inc. at 3160 High Meadow Dr. Memphis, TN 38128. There was no answer at the door. A card was left on the door requesting Mr. Grant to contact us.


AGENT SIGNATURE

10/02/19
DATE

Sworn to and subscribed before me on this 2nd day of October, 2019


NOTARY PUBLIC



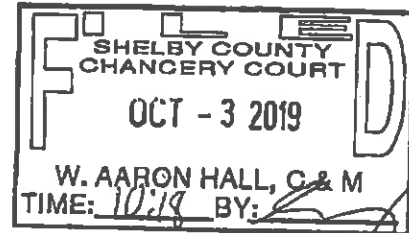
**IN THE CHANCERY COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS**

**SHELBY COUNTY DEMOCRATIC PARTY,
SHELBY COUNTY YOUNG DEMOCRATS,
and MAREK FOR MEMPHIS,**

Petitioners,

v.

**Case No. CH-19-1370-3
Part III, Special designation**



**GREG GRANT, GREG GRANT,
GREATER MEMPHIS DEMOCRATIC
CLUB, M. LATROY WILLIAMS, and
SHELBY COUNTY DEMOCRATIC CLUB,**

Defendants.

**VERIFIED AMENDED PETITION FOR TEMPORARY RESTRAINING
ORDER, PERMANENT INJUNCTIVE RELIEF, DECLARATORY RELIEF,
DAMAGES, AND RESTITUTION FOR UNJUST ENRICHMENT**

**TO THE HONORABLE CHANCELLORS OF THE CHANCERY COURT OF
TENNESSEE FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS:**

The Petitioners, petitioning for emergency equitable relief, declaratory relief, treble damages and attorneys' fees under the Tennessee Consumer Protection Act, and restitution based on Defendants' unjust enrichment, as specified hereinbelow, respectfully state and allege the following grounds:

PARTIES

1. Petitioner Shelby County Democratic Party (the "SCDP") is the lawful constituent entity in Shelby County, Tennessee of, and is chartered and created by, the Tennessee Democratic Party ("TNDP"). The TNDP, in turn, is a constituent of the Democratic National Committee (the "DNC's") Association of State Democratic Committees and is recognized by the DNC as the official State Party of the Democratic Party in the state of Tennessee. The SCDP is represented in this lawsuit by its duly elected Chairman, Michael Harris.

2. Petitioner Shelby County Young Democrats ("SCYD") is the local chapter of the Tennessee Young Democrats ("TYD"), the official "state unit" of the Young Democrats of America ("YDA") for the state of Tennessee, duly chartered as such pursuant to the YDA Bylaws. The YDA is a constituent entity of the DNC. The SCYD is represented in this lawsuit by its duly elected President, Alexander Boulton.

3. Petitioner Marek for Memphis is the campaign committee for John Marek's election campaign in the October 3, 2019 municipal general election for the City of Memphis, Tennessee. John Marek is running for the District 5 seat on the Memphis City Council.

4. Defendant Greater Memphis Democratic Club, Inc., is a for-profit corporation with its principal address at 3160 High Meadow Dr., Memphis, TN 38128-4209. (See attached Exhibit 1). It may be served with process through its registered agent, Greg Grant, at 3160 High Meadow Dr., Memphis, TN 38128-4209.

5. Defendant Shelby County Democratic Club, Inc. is a for-profit corporation with its address at 3250 Commercial Parkway, Memphis, TN 38116-3252. It may be served with

process through its registered agent, M. Latroy Williams, at 3242 Commercial Parkway, Suite 3254, Memphis, TN 38116.

6. Defendant Greg Grant is an individual, adult resident of Shelby County, Tennessee. He may be served with process at 3160 High Meadow Dr., Memphis, TN 38128-4209.

7. Defendant M. Latroy Williams is an individual, adult resident of Shelby County, Tennessee. His registered address for service of process is 3242 Commercial Parkway, Suite 3254, Memphis, TN 38116. At the time of this filing, this location appears to be an unoccupied, abandoned building.

JURISDICTION AND VENUE

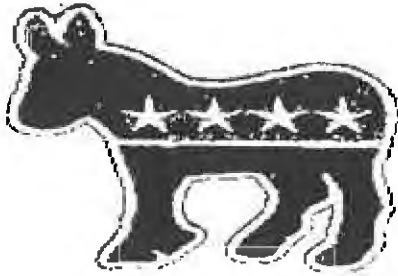
8. This Court has jurisdiction, pursuant to Tenn. Code Ann. § 16-11-103, to hear this Petition for equitable relief.

9. Venue for this action is properly laid in Shelby County, where all pertinent events transpired.

FACTUAL ALLEGATIONS

10. As stated with particularity in Paragraphs 1 and 2, the SCDP and SCYD are constituents or constituents by extension of the TNDP, the DNC, or both. As such, they are official affiliates and local representative bodies of the Democratic Party of Tennessee and the Democratic Party of the United States.

11. The stylized red, white, and blue donkey depicted immediately below is a well known symbol of the Democratic Party of Tennessee and the Democratic Party of the United States:



12. Defendant Greater Memphis Democratic Club, Inc., has no meaningful connection whatsoever with the Democratic Party of Tennessee or the Democratic Party of the United States.

13. Despite its nominal designation as a club, the Greater Memphis Democratic Club, Inc. has no membership in the traditional sense of the term. It is a business entity that turns a profit during each local election season by charging candidates money to appear as “endorsees” on the advertisements and “campaign literature” that the company publishes and distributes through paid placements, mass mailings, and distribution at election polls.

14. Defendant Grant, through Greater Memphis Democratic Club, has published, disseminated, and caused to prominently appear multiple misrepresentative advertisements that purport to speak for, and represent the endorsement of, the Democratic Party of the United States, Tennessee, or both within the territorial boundaries of the Greater Memphis region. *E.g.*, Examples 1, 2.

15. This messaging is deceptive, intending to misrepresent to the electorate that certain City Council Candidates not endorsed by the Democratic Party—including Chase

Carlisle, Ford Canale, Cody Fletcher, and Worth Morgan—are endorsed by the Democratic Party. **Examples 1–4.**

16. In the aforementioned advertisements and “campaign” literature, Defendant Grant and the Greater Memphis Democratic Club, Inc. prominently display the distinctively stylized “Donkey” logo associated with the Democratic Party of the United States, the word “Democratic” adjacent to and in connection with the territorial designation of Memphis, Tennessee and surrounding regions, and an express admonishment to “RE-ELECT AND VOTE FOR THOSE WHO HAVE BEEN IN THE STRUGGLE WITH YOU,” messaging clearly intended to imply association between the candidates presented and the Democratic Party of the United States. **Exhibits 1–4.**

17. None of the aforementioned advertisements or pieces of “campaign” literature published by the Greater Memphis Democratic Club, Inc. contain any disclaimer indicating that the Greater Memphis Democratic Club, Inc. is a for-profit corporate entity unaffiliated with the Democratic Party of Tennessee or the Democratic Party of the United States.

18. Furthermore, Defendant Greater Memphis Democratic Club prominently displays the official City of Memphis Seal five times on a widely distributed piece of “campaign” literature and eight times in the 2019 No. 190 publication of Spirit Magazine. **Exhibits 1, 2.**

19. Defendant Shelby County Democratic Club has no meaningful connection whatsoever with the Democratic Party of Tennessee or the Democratic Party of the United States.

20. Despite its nominal designation as a club, the Shelby County Democratic Club has no membership in the traditional sense of the term. It is a business entity that attempts to turn a profit during each local election season by charging candidates money to appear as

“endorsees” on printed advertisements and “campaign literature” that the company publishes and distributes at election polls.

21. Defendant Williams and the Shelby County Democratic Club, has published, disseminated, and caused to prominently appear multiple misrepresentative advertisements that purport to speak for, and represent the actual endorsement of, the Democratic Party in Shelby County, Tennessee.

22. This messaging is deceptive, intended to misrepresent to the electorate that a certain candidate not endorsed by any constituent or affiliate of the Democratic Party, namely Worth Morgan, is endorsed by the Democratic Party in Shelby County, Tennessee.

23. In the aforementioned advertisements and “campaign” literature, Defendant Grant and the Greater Memphis Democratic Club, Inc. prominently display the distinctively stylized “Donkey” logo associated with the Democratic Party of the United States, the word “Democratic” adjacent to and in connection with the territorial designation of Shelby County, Tennessee, and the likenesses of prominent leaders of the Democratic Party, most notably President Barack Obama. Exhibit 5.

24. None of the aforementioned advertisements or pieces of “campaign” literature published by the Shelby County Democratic Club contain any disclaimer indicating that the Shelby County Democratic club is a for-profit business enterprise wholly unaffiliated with the Democratic Party of Tennessee or the United States.

25. Defendant Williams was previously restrained by the Chancery Court of Shelby County in cause CH-10-1354 from committing similar acts during the election of 2010.

26. Tennessee statutes seek to protect the public from entities masquerading as legitimate political parties. Tenn. Code Ann. § 2-1-104 (a) (14) requires political parties to seek recognition by filing with the State a qualifying petition.

27. Upon information and belief, neither the Greater Memphis Democratic Club nor the Shelby County Democratic Club has ever filed a qualifying petition with the State of Tennessee.

28. Section 1-8-2 of the Memphis Municipal Code provides, "The official seal provided by section 1-8-1 shall be impressed or imprinted on all official instruments of the city." Section 1-8-3 (E) places the city seal on the city flag. This language implies, under the well known principal of statutory construction, *inclusio unius ex exclusion alterius*, that neither the City Seal, flag, nor any likenesses thereof, may be privately appropriated for profit or affixed to campaign literature or advertisements in such a manner as should tend to favor one candidate any other in the same contest.

29. Early voting for the October 3, 2019 elections began on September 13, 2019.

30. As of the date of the emergency hearing on October 3, 2019, the ballot attached as Exhibit is being actively distributed at election polls to unsuspecting voters by paid agents of Defendants.

COUNT I: EMERGENCY INJUNCTIVE RELIEF

31. The allegations of the preceding paragraphs are hereby reiterated and incorporated by reference as if fully set forth under this Count.

32. Defendants' actions as hereinbefore described are in violation of the following Tennessee statutes:

Tenn. Code. Ann. § 2-19-116. Misrepresentations on campaign literature or sample ballots - Penalty.

(a) No person shall print or cause to be printed or assist in the distribution or transportation of any facsimile of an official ballot, any unofficial sample ballot, writing, pamphlet, paper, photograph or other printed material which contains the endorsement of a particular candidate, group of candidates or proposition by an organization, group, candidate or other individual, whether existent or not, with the intent that the person receiving such printed material mistakenly believe that the endorsement of such candidate, candidates or proposition was made by an organization, group, candidate or entity other than the one or ones appearing on the printed material.

(b) A violation of this section is a Class C misdemeanor.

Tenn. Code. Ann. § 2-19-142. Knowingly publishing false campaign literature.

It is a Class C misdemeanor for any person to publish or distribute or cause to be published or distributed any campaign literature in opposition to any candidate in any election if such person knows that any such statement, charge, allegation, or other matter contained therein with respect to such candidate is false.

33. Defendants are deceptively portraying certain candidates as the nominees or endorsees of the Democratic Party, even though these candidates are not endorsed by the Democratic Party, and in several cases are in fact members of the Shelby County Republican Party, endorsed by that organization, or both.

34. As duly chartered constituents, constituents by extension, and affiliates of the TNDP and DNC, the SCDP and SCYD have possessory and equitable interests in the name, trade dress, and brand of the Democratic Party of Tennessee and the United States. Equity demands they have some remedy to prevent their name, trade dress, and brand from misappropriation, dilution, and impressment into the service of non-party-affiliated affiliated "election profiteers."

35. Defendants' actions hereinbefore described are intended, and do in fact tend, to mislead voters and the public at large as to which candidates in fact have the support and endorsement of the Democratic Party within the territorial boundaries of Shelby County, Memphis, and the Greater Memphis Region.

36. Defendants Grant and the Greater Memphis Democratic Club, Inc. are unlawfully affixing the the Seal of the City of Memphis to their publications and "campaign" materials, and are deceptively displaying the same in such a manner as to imply the candidates who have bought placement on these publications have the official endorsement of the City of Memphis.

37. Petitioners aver that Defendants are acting in knowing violation of the law, deceptively, act and in bad faith.

38. Petitioners aver that immediate and irreparable harm will result to Petitioners and the voting public, and will mar and offend the sanctity and security of the election process (for which monetary damages cannot compensate), if Defendants and their agents are not immediately restrained and enjoined from further acts as hereinbefore described, including the distribution of materials at election polls on election day.

39. Petitioners seek an immediate Temporary Restraining Order with the provisions set forth in the prayer below.

40. Absent the immediate injunctive relief herein requested, the unlawful and irreparably damaging conduct of Defendants, hereinbefore described, will continue.

41. Immediately enjoining the distribution of the materials hereinbefore described would pose no risk to the voting public, even if this relief were improvidently granted, because

these materials, being mere instruments of pay-for-play business ventures, no information valuable to voters.

42. Immediately enjoining the distribution of the materials hereinbefore described risks only minimal harm to Defendants, in the event one or both should ultimately prevail on the merits. In the first place, Defendants have already collected their money; the temporary enjoining of their distribution efforts will not cost them in lost profit. Moreover, should Defendants prevail on the merits of this suit, the public vindication of their activities, long a point of controversy in Memphis political circles, would substantially offset the temporary effect of the emergency relief sought here.

43. Defendant Grant and the Greater Memphis Democratic Club, Inc. have actual notice of this Petition, its substance, the relief it seeks, and the fact of its being sent to the Tennessee Administrative Office of the Courts for assignment. Mr. Grant was present in open court on Thursday, September 26, 2019, when the original version of this Petition was presented to Chancellor JoeDae Jenkins. Chancellor Jenkins communicated directly with Defendant Grant the likelihood this matter would end up at the Administrative Office of the Courts, following his own recusal, and advised Defendant Grant to monitor the status of the case and remain in communication with Petitioners.

44. Petitioners have made repeated and extraordinary efforts to locate or contact Messrs. Williams and Grant to personally serve them with process in this cause, individually and as representatives and agents of their respective corporations. Petitioners have sent two different process servers to the addresses listed for the Defendant corporations and have made multiple telephone calls and text messages to known numbers for Defendants. These efforts have proved unsuccessful, notwithstanding Defendant Grant's having actual notice of this Petition and its

submission to the Tennessee Administrative Office of the Courts. Upon information and belief, one or both individual Defendants is deliberately evading service.

45. Petitioners have made repeated and extraordinary efforts to locate or contact Messrs. Williams and Grant to inform them of the designation of Judge by the Administrative Office of the Courts and the setting of the emergency hearing on Thursday, October 3, at 10:30 AM. These efforts have proved unsuccessful, and it appears one or both individual Defendants are actively seeking to avoid any record of their having actual notice of the hearing.

46. On October 1, 2019, the undersigned counsel communicated directly with Ms. Linda Harris, whom Defendant Grant had identified as his attorney to Chancellor Jenkins in open court on September 26, 2019. Communicating via text message with Mr. Brown, Ms. Harris appeared to refuse to convey the date and time of the emergency hearing to Defendant Grant and refused to provide Mr. Brown with Defendant Grant's contact information.

COUNT II: PERMANENT INJUNCTIVE RELIEF

47. The allegations of the preceding paragraphs are hereby reiterated and incorporated by reference as if fully set forth under this Count.

48. Unless permanently enjoined by this Court, Defendants' actions hereinbefore described will continue, in subsequent election cycles, to cause the voting public, Plaintiffs SCDP and SCYD, and very possibly the Shelby County Republican Party through its own brand dilution and voter confusion, irreparable damage for which monetary damages will prove incalculable and inadequate.

49. Defendants' actions as hereinbefore described will cause Plaintiffs irreparable damage unless permanently enjoined by this Court following a full hearing on the merits.

COUNT III: DECLARATORY RELIEF

50. The allegations of the preceding paragraphs are hereby reiterated and incorporated by reference as if fully set forth under this Count.

51. There is an actual, substantial, and justiciable contriversey between Petitioners and Defendants as to the legality of Defendants' activities as hereinbefore described.

52. Petitioners are seeking declaratory relief as prayed for below.

COUNT IV: VIOLATION OF THE TENNESSEE CONSUMER PROTECTION ACT

53. The allegations of the preceding paragraphs are hereby reiterated and incorporated by reference as if fully set forth under this Count.

54. Defendants have violated the Tennessee Consumer Protection Act, Tenn. Code Ann. §§ 47-18-101, *et seq.*

55. Defendants' conduct and misrepresentation as hereinbefore described have caused confusion and misunderstanding as to the affiliation of certain candidates with the Democratic Party in violation of the Tennessee Consumer Protection Act.

56. The Tennessee Consumer Protection Act prohibits, among other things, causing the likelihood of confusion or misunderstanding as to the source, sponsorship, or approval of services being provided. Tenn. Code Ann. § 47-18-104(b)(2).

57. The Act further prohibits causing the likelihood of confusion or misunderstanding as to the affiliation, connection, or association with another. Tenn. Code Ann. § 47-18-104(b)(3).

58. In addition, the Act prohibits representing that a persons or product has the sponsorship, approval, or affiliation that the person does not have. Tenn. Code Ann. § 47-18-104(b)(5).

59. Defendants' actions as hereinbefore described deliberately causes confusion as to the affiliation of these candidates.

60. Defendants' acts affect the conduct of trade and commerce in the Memphis metro and North

61. The Tennessee Consumer Protection Act authorizes the Court to award reasonable attorneys' fees and costs on a finding that a provision of the Act has been violated. Tenn. Code Ann. § 47-18-109(e)(1)

COUNT V: RESTITUTION FOR UNJUST ENRICHMENT

62. The allegations of the preceding paragraphs are hereby reiterated and incorporated by reference as if fully set forth under this Count.

63. Upon information and belief, Defendants have realized significant financial profits from their activities as hereinbefore described.

64. Defendants should be disgorged of any profits or monies made by them from the activities as hereinbefore described, as it would be fundamentally unjust and inequitable to allow these individuals and entities to profit from their deliberate misrepresentations and unscrupulous profiteering.

PRAYER

WHEREFORE, Petitioners respectfully pray for the following relief:

A. That this Court immediately issue a Temporary Restraining Order restraining Defendants from:

a. Distributing literature, disseminating information or in any way communicating utilizing words, symbols, or graphical schemes reasonably implying endorsement of or affiliation with the Democratic National Committee, the Tennessee Democratic Party, or the Shelby County Democratic Party;

b. Distributing literature, e-material, or displaying prominent advertisements bearing the Seal of the City of Memphis, the city flag, or any other official marks of the City of Memphis;

b. Distributing literature, disseminating information or in any way representing or implying any misleading information regarding the political party affiliation of a candidate or group;

c. Distributing literature, disseminating information or in any way representing or implying that individuals who are not duly elected nominees of a political party are such nominees;

d. Distributing literature, disseminating information, or in any way representing or implying an endorsement of a candidate by a person or group when such endorsement has not occurred;

f. Distributing, disseminating or transferring Exhibits 3-5, or any facsimile or partial copy of same;

C. That a full hearing be set to try the merits of this cause and grant permanent injunctive relief;

D. That Defendants be compelled to take affirmative remedial action to remove from public dissemination, publication, or prominent view, all items identified to be restrained in this petition;

E. That upon a full hearing on this cause, this Court enter a Decree declaring the following activities deceptive and unlawful:

(a) The use of the City of Memphis Seal by a private, for-profit corporation for the purpose of financial gain;

(b) The use of the imagery and trade dress of the Democratic Party, and of the names and likenesses of prominent leaders within the Democratic Party of the United States and of the Democratic Party of Tennessee, by private, for-profit entities affiliated with neither organization, absent express authorization of such leaders;

(c) The prominent use and display, on paid advertisements or literature intended for distribution at election polls, of the word "Democratic" in proximity to and connection with a county, municipal, or other territorial designation, by an entity

unaffiliated with the Democratic Party of the United States or the Democratic Party of Tennessee;

(d) Other of Defendants' conduct reasonably tending to mislead or confuse members of the voting public as to any election candidate's political affiliation or party endorsement, or to misrepresent or dilute the shared band, image, and good will of the DNC, the TNDP, the YDA, the SCDP, and the SCYD; and

(e) The adoption and employment of "pay-for-play" election advertisements or services by for-profit entities unaffiliated with any recognized state or national political party or any religious, cultural, or educational institution;

(f) Except that none of the forgoing restrictions should apply to restrict the free expression of any candidate for public office; candidate committee; religious or charitable organization; religious, cultural, or educational institution; not-for-profit interest group; or political action group, according to the definition of such entities under Tennessee law.

F. That this Court grant Petitioners such other and further relief as may be appropriate under the circumstances.

Respectfully Submitted,



Bruce S. Kramer (7472)
Jacob Webster Brown (36404)
6000 Poplar Avenue, Suite 150
Memphis, Tennessee 38119
Telephone: (901) 756-5600
Facsimile: (901) 757-1296
bkramer@appersoncrump.com
jbrown@appersoncrump.com
Attorneys for Petitioners

THIS IS THE SECOND REQUEST FOR EXTRAORDINARY RELIEF IN THIS
CAUSE

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned authority within and for the State and County aforesaid, John Marek, who makes oath and says that the facts and allegations stated in the foregoing are true and correct to the best of his knowledge, information and belief.

MAREK FOR MEMPHIS

By: John Marek

SWORN TO AND SUBSCRIBED this ____ day of _____, 2019.

My Commission Expires:

~~NOTARY PUBLIC~~

Deputy Clerk

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned authority within and for the State and County aforesaid, Michael Harris, duly elected Chairman of the Shelby County Democratic Party, who makes oath and says that the facts and allegations stated in the foregoing are true and correct to the best of his knowledge, information and belief.

SHELBY COUNTY DEMOCRATIC PARTY

By: Michael Harris

SWORN TO AND SUBSCRIBED this ____ day of _____, 2019.

NOTARY PUBLIC

My Commission Expires:

STATE OF TENNESSEE
COUNTY OF SHELBY

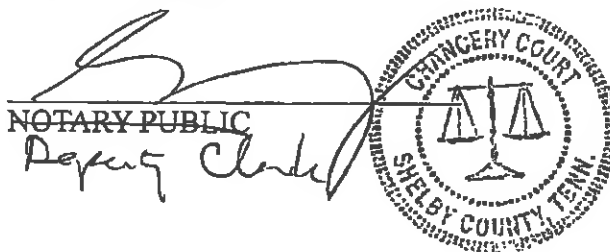
Personally appeared before me, the undersigned authority within and for the State and County aforesaid, Alexander Boulton, duly elected President of the Shelby County Young Democrats, who makes oath and says that the facts and allegations stated in the foregoing are true and correct to the best of his knowledge, information and belief.

SHELBY COUNTY YOUNG DEMOCRATS

Alexander Boulton
By: Alexander Boulton

SWORN TO AND SUBSCRIBED this 3 day of October, 2019.

My Commission Expires:



CERTIFICATE OF SERVICE

I certify that repeated service attempts upon the Defendants have been unsuccessful:

Greg Grant
3160 High Meadow Dr.,
Memphis, TN 38128-4209

Greater Memphis Democratic Club, Inc.
3160 High Meadow Dr.,
Memphis, TN 38128-4209

M. Latroy Williams
1429 S. Parkway E.
Memphis, TN 38106

Shelby County Democratic Club, Inc.
3242 Commercial Parkway, Ste. 3254
Memphis, TN 38116



Jake Brown

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE FOR THE
THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

Shelby County Democratic Party
Marek for Memphis
Plaintiff

vs.

Docket No. CH-19-1370-3

Greg Grant, Indv. & DBA
Defendant Greater Memphis Democratic
Club, Inc., et al

Part III

FIAT

TO THE CLERK OF THIS COURT:

Based upon the record in this matter, issue one or more of the following:

☐ NOTICE OF HEARING

Issue Notice and set this matter for hearing on _____, the _____ day of _____, at _____ o'clock ____ m.

☐ WRIT OF CERTIORARI

Issue a Writ of Certiorari as prayed for in this matter.

☐ WRIT OF SCIRE FACIAS (CONTEMPT)

Issue a Writ of Scire Facias as prayed for in this matter and set this matter for hearing on _____, the _____ day of _____ at _____ o'clock ____ m.

☐ INJUNCTION

Issue the injunction as prayed for in this matter upon bond being given in the amount of \$ _____

☐ TEMPORARY RESTRAINING ORDER (TRO)

Issue the Temporary Restraining Order as prayed for in this matter upon bond being given in the amount of \$ _____

and issue Notice setting this matter for hearing on _____, the _____ day of _____, at _____ o'clock ____ m. for Defendant to show cause why Plaintiff is not entitled to have the relief prayed for in this matter.

Chancellor

Date

Exhibit 1

CITY OF MEMPHIS MUNICIPAL ELECTION
 PUBLIC PARTICIPATION BATTLES OCTOBER 3, 2019
LEADERSHIP • INTEGRITY • COMMITMENT



RE-ELECT • THE HONORABLE MAYOR • JIM STRICKLAND



Strickland

MAYOR

LEADERSHIP MATTERS

RE-ELECT
MAYOR JIM STRICKLAND

RE-ELECT & VOTE FOR THOSE WHO HAVE BEEN IN THE STRUGGLE WITH YOU

Flag of Memphis

RE-ELECT



CLERK
MYRON LOWERY
 City Court Clerk



JUDGE
TERESA JONES
 Division 1



JUDGE
TARIK SUGARMON
 Division 2

JUDGE
JAYNE CHANDLER
 Division 3



RE-ELECT
SHERMAN GRIER
 CITY COUNCILMAN

(1)



RE-ELECT
MARVIN WHITE
 CITY COUNCILMAN

(2)

RE-ELECT
WORTH MORGAN
 CITY COUNCILMAN

(5)

RE-ELECT
CATRINA SMITH
 CITY COUNCILMAN

(7)

CITY COUNCIL SUPER DISTRICT 9



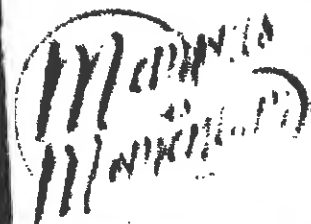
CHASE CARLISLE
 DISTRICT 9



Canale



FLETCHER
 CITY COUNCIL



MEMPHIS

Exhibit 2

CITY OF MEMPHIS MUNICIPAL ELECTION
 DEMOCRATIC CLUB'S BALLOT ~ OCTOBER 3, 2019
LEADERSHIP • INTEGRITY • COMMITMENT



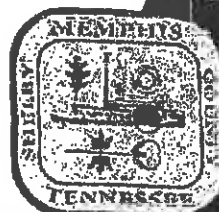
RE-ELECT • THE HONORABLE MAYOR • JIM STRICKLAND



RE-ELECT
MAYOR JIM STRICKLAND

Strickland

MAYOR
LEADERSHIP MATTERS



Flag of Memphis

RE-ELECT & VOTE FOR THOSE WHO HAVE BEEN IN THE STRUGGLE WITH YOU



CLERK
MYRON LOWERY
City Court Clerk



JUDGE
TERESA JONES
Division 1



JUDGE
TARIK SUGARMON
Division 2



JUDGE
JAYNE CHANDLER
Division 3



RETURN
SHERMAN GREER
CITY COUNCILMAN

DISTRICT
1



ELECT
MARVIN WHITE
CITY COUNCILMAN

DISTRICT
2



RE-ELECT
PATRICE ROBINSON
CITY COUNCILWOMAN

DISTRICT
3



RE-ELECT
JAMITA SWEARENGEN
CITY COUNCILWOMAN

DISTRICT
4



RE-ELECT
WORTH MORGAN
CITY COUNCILMAN

DISTRICT
5



ELECT
EDMUND FORD, SR.
CITY COUNCILMAN

DISTRICT
6



ELECT
CATRINA SMITH
CITY COUNCILWOMAN

DISTRICT
7

**Let's Keep Memphis
Moving Forward**

NO NEW TAXES ~ Vote (X) Against

World Printing Corporation
Greg Lantz, President
Paid for by the Greater Memphis Democratic Club, Inc.

Exhibit 3



NO. 180

it
is



JB
SMILEY JR

CITY COUNCIL
SUPER DISTRICT 8 POSITION 1

**JB
SMILEY JR**
CITY COUNCIL - SUPER DISTRICT 8-1

Exhibit 4

whether it's to speak at a luncheon, neighborhood event, or a trip to the grocery store, I am committed to the city of Memphis. With nearly \$15 billion in recent, current, and planned development and nearly 200,000 new jobs, the statement that "Memphis is on a roll" is undeniable. As we move forward, I am committed to the future of our City.

Memphis has momentum, but we still have much work to do. I look forward to working with each and every one of you to continue this progress in the future.

ELECT & VOTE FOR THOSE WHO HAVE BEEN IN THE STRUGGLE WITH YOU
CITY COUNCIL SUPER DISTRICT 8

ELECT
8-2



JB SMILEY JR

RETURN
8-2



CHEYENNE JOHNSON
 ★ **CHEYENNE** ★
JOHNSON
 MEMPHIS CITY COUNCIL, DISTRICT 8-2

ELECT
8-3



PAM LEE
 ELECT
Pam LEE
 District 8, Positions 1 & 2



ELECT
9-1



CHASE CARLISLE

ELECT
9-2



Ford Canale

ELECT
9-3



CODY FLETCHER
 CITY COUNCIL



Wright Printing Corporation
 City of Memphis, President
 Available for the Greater Memphis Chamber of Commerce

Exhibit 5

EXCLUSIVE



ENDORSED BY **JUDGE JOE BROWN** & **MARK CLAYTON**

PRESIDENT OBAMA RUNNING MATE
US SENATE DEMOCRAT NOMINEE



EARLY VOTING: SEPT. 13TH - 20TH / GENERAL ELECTION: OCT. 3RD, 2010

Shelby County Democratic

Charter #638459

UNITY BALLOT

Club

SHELBY COUNTY



JOE
BROWN
MEMBER



W.W. HERENTON
MAYOR



TERESA JONES
JUDGE DIVISION 1



JOE BROWN
CITY COURT CLERK



LYNNETTE WILLIAMS DR
CITY COUNCIL SUPER D. 11 POS 3



M. LYNETTE WILLIAMS
CITY COUNCIL SUPER D. 11 POS 1



BRIAN E. SMITH
CITY COUNCIL D. 1



PATRICIA HARRISON
CITY COUNCIL D. 3



JIMMY BASSHAM
CITY COUNCIL D. 7



KEITH BROWN
CITY COUNCIL D. 8



MARINDA LOGAN
CITY COUNCIL D. 11



ERIKA COMBS
CITY COUNCIL SUPER D. 1



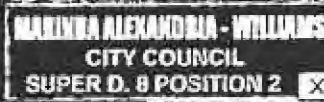
SANTA SWADLOW
CITY COUNCIL D. 4



JUDGE TARK SUGARMAN
JUDGE DIVISION
CITY COURT - 2



DANIELLE JONES
CITY COUNCIL
SUPER D. 9-2



MARINDA ALEXANDRIA - WILLIAMS
CITY COUNCIL
SUPER D. 8 POSITION 2



JAYNE CHANDLER
JUDGE DIVISION
CITY COURT - 3

State of Tennessee



Department of State
Corporate Filings
312 Eighth Avenue North
6th Floor, William R. Snodgrass Tower
Nashville, TN 37243

CHARTER
(For-Profit Corporation)

2010 SEP 28

For Office Use Only

SEP 28 2010

SECRETARY OF STATE

The undersigned acting as Incorporator(s) of a for-profit corporation under the provisions of the Tennessee Business Corporation Act adopts the following Articles of Incorporation.

1. The name of the corporation is:

Greater Memphis Democratic Club, Inc.

[NOTE: Pursuant to Tennessee Code Annotated § 48-14-101(a)(1), each corporation name must contain the words corporation, incorporated, or company or the abbreviation corp., inc., or co.]

2. The number of shares of stock the corporation is authorized to issue is: 100,000

3. The name and complete address of the corporation's initial registered agent and office located in the State of Tennessee is:

Gregory Grant

(Name)

3160 N. Highmeadow

Memphis

TN 38128

(Street Address)

(City)

(State/Zip Code)

Shelby

(County)

4. List the name and complete address of each Incorporator:

Alonzo Grant, II

22 N. Third Street Memphis, TN 38103

(Name)

(Include: Street Address, City, State and Zip Code)

Lisa Townsend

22 N. Third Street Memphis, TN 38103

(Name)

(Street Address, City, State and Zip Code)

Tony Grant

22 N. Third Street Memphis, TN 38103

(Name)

(Street Address, City, State and Zip Code)

5. The complete address of the corporation's principal office is:

3160 N. Highmeadow

Memphis

Tennessee/Shelby 38128

(Street Address)

(City)

(State/County/Zip Code)

6. The corporation is for profit.

7. If the document is not to be effective upon filing by the Secretary of State, the delayed effective date and time are:

Date: _____, Time: _____ (Not to exceed 90 days.)

8. Other provisions:

9/24/10
Signature Date

Alonzo Grant, II
Incorporator's Signature

Alonzo Grant, III

Incorporator's Name (typed or printed)

Official Republican Sample Ballot

City Council District 2

☒ Frank Colvett, Jr.

ENDORSED

☐ John Emery

☐ Carolyn White

City Council District 5

☐ Kenneth March

☒ Worth Morgan

ENDORSED

City Council Super District 9

Vote for 1 in each position

Position 1

☒ Chase Carlisle

ENDORSED

☐ Earl Thompson

Position 2

☐ Patricia Collier

☒ Ford Canale

ENDORSED

☐ Debra H. Jones

Position 3

☐ Charles Smith

☒ Cody Fletcher

ENDORSED

☐ Terence Franklin

☐ Jeff Warren

CITY OF MEMPHIS MUNICIPAL ELECTION

DEMOCRATIC CLUB'S BALLOT - OCTOBER 3, 2019

LEADERSHIP • INTEGRITY • COMMITMENT



RE-ELECT • THE HONORABLE MAYOR • JIM STRICKLAND



Strickland

MAYOR

LEADERSHIP MATTERS

**RE-ELECT
MAYOR JIM STRICKLAND**

RE-ELECT & VOTE FOR THOSE WHO HAVE BEEN IN THE STRUGGLE WITH YOU

ELECT

KEEP

RE-ELECT

RE-ELECT



CLERK

MYRON LOWERY

City Court Clerk



JUDGE

TERESA JONES

Division 1



JUDGE

TARIK SUGARMON

Division 2



JUDGE

JAYNE CHANDLER

Division 3



RETURN

**SHERMAN
GREER**

CITY
COUNCILMAN

DISTRICT

1



ELECT

**MARVIN
WHITE**

CITY
COUNCILMAN

DISTRICT

2



RE-ELECT

**PATRICE
ROBINSON**

CITY
COUNCILWOMAN

DISTRICT

3



RE-ELECT

**JAMITA
SWEARENGEN**

CITY
COUNCILWOMAN

DISTRICT

4



RE-ELECT

**WORTH
MORGAN**

CITY

DISTRICT

5



ELECT

**EDMUND
FORD, SR.**

CITY

DISTRICT

6



Fellow Memphians,

Everywhere I go-whether it's to speak at a luncheon, neighborhood event, or a trip to the grocery store-I am constantly talking about the momentum we are feeling. With nearly \$15 billion in recent, current, and planned development and nearly 18,000 more Memphians employed since 2016, the statement that "Memphis has Momentum" is undeniable. As we move forward, I am filled with optimism and excitement for the future of our City.

As I stated earlier, Memphis has momentum, but we still have much work to do. I look forward to working with each and every one of our citizens to continue this progress in the future.

Sincerely

Mayor Jim Strickland

RE-ELECT & VOTE FOR THOSE WHO HAVE BEEN IN THE STRUGGLE WITH YOU

CITY COUNCIL SUPER DISTRICT 8

ELECT
8-1

Attorney
JB SMILEY JR.

RETURN
8-2

CHEYENNE JOHNSON

ELECT
8-3

PAM LEE



JB SMILEY JR.

CHEYENNE JOHNSON

ELECT Pam LEE

City of
MEMPHIS

CITY COUNCIL SUPER DISTRICT 9

ELECT
9-1

CHASE CARLISLE

RE-ELECT
9-2

Ford Canale

ELECT
9-3

CODY FLETCHER



CHASE CARLISLE

DISTRICT 9 POSITION 1

Ford Canale

City Council

CODY FLETCHER

CITY COUNCIL

DISTRICT 9 POSITION 3

City of
MEMPHIS

Referendum

**IN THE CHANCERY COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS**

**SHELBY COUNTY DEMOCRATIC PARTY,
SHELBY COUNTY YOUNG DEMOCRATS,
and MAREK FOR MEMPHIS,**

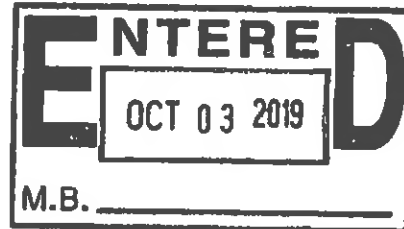
Petitioners,

v.

**Case No. CH-19-1370-3
Part III, Special Designation**

**GREG GRANT, GREG GRANT,
GREATER MEMPHIS DEMOCRATIC
CLUB, M. LATROY WILLIAMS, and
SHELBY COUNTY DEMOCRATIC CLUB,**

Defendants.



TEMPORARY RESTRAINING ORDER

THIS CAUSE was heard upon the special setting of an emergency hearing on Petitioners' prayer for emergency injunctive relief on October 3, 2019, in the Supreme Court Room of the Shelby County Courthouse. Based on Petitioner's Petition for Temporary Restraining Order, for Permanent Injunction, Declaratory Relief, and Punitive Damages (Sep. 26, 2019); Petitioners' Verified Amended Petition for Temporary Restraining Order, Permanent Injunctive Relief, Declaratory Relief, Damages, and Restitution for Unjust Enrichment (Oct. 3, 2019); the arguments and testimony in open court, and the entire record in this cause, this Court rules as follows:

1. A contested hearing on the merits of the Verified Amended Petition is set for

Nov 13, October, 2019 at 11:00 A./P.M. at 69

Conference call;

2. Pending said hearing, and **EFFECTOVE IMMEDIATELY**, Defendants Greg Grant, Greater Memphis Democratic Club, Inc., M. Latroy Williams, and the Shelby County Democratic Club **ARE HEREBY RESTRAINED AND ENJOINED** from:

a. Distributing literature, disseminating information or in any way communicating utilizing words, symbols, or graphical schemes reasonably implying endorsement of or affiliation with the Democratic National Committee, the Tennessee Democratic Party, or the Shelby County Democratic Party;

WAY ~~b. Distributing literature, e-material, or displaying prominent advertisements bearing the Seal of the City of Memphis, the city flag, or any other official marks of the City of Memphis;~~

WAY ~~c. Distributing literature, disseminating information or in any way representing or implying any misleading information regarding the political party affiliation of a candidate or group;~~

WAY ~~d. Distributing literature, disseminating information or in any way representing or implying that individuals who are not duly elected nominees of a political party are such nominees;~~

WAY ~~e. Distributing literature, disseminating information, or in any way representing or implying an endorsement of a candidate by a person or group when such endorsement has not occurred; and~~

WAY ~~f. Distributing, disseminating, publishing, or transferring any materials that are included in the Exhibits to the attached Petition or Verified Amended Petition, or any facsimile or partial copy of same; and~~

3. ~~Defendants shall deposit with the Shelby County Chancery Court Clerk, no later~~

WAY ~~than~~, all monies received in connection with the

~~forementioned advertisements, publications, and all other election or campaign related products~~

~~or services for the October 3, 2019 Memphis municipal general election, and shall produce a~~

verified accounting of the same no later than the next scheduled court appearance in this matter.

IT IS SO ORDERED AND DECREED.

William B. Acree
JUDGE WILLIAM B. ACREE

Oct 3, 2019
DATE

AT 11:44 O'CLOCK, A. P. M.

Bond 7500.00

CERTIFICATE

I hereby certify that on this date
a copy of this decree

Was hand delivered
to the attorneys and M. Latroy Williams
Spencer Stallings
Deputy Clerk